

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

 EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 29, 2004

The House of Representatives convened at 3:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Father Bob White, St. Victoria Church, Victoria, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	DeLaForest	Hilty	Lenczewski	Otto	Solberg
Abrams	Demmer	Holberg	Lesch	Ozment	Stang
Adolphson	Dempsey	Hoppe	Lieder	Paulsen	Strachan
Anderson, B.	Dill	Hornstein	Lindgren	Paymar	Swenson
Anderson, I.	Dorman	Howes	Lindner	Pelowski	Sykora
Anderson, J.	Dorn	Huntley	Lipman	Penas	Thao
Atkins	Eastlund	Jacobson	Magnus	Peterson	Thissen
Beard	Ellison	Jaros	Mahoney	Powell	Tingelstad
Bernardy	Entenza	Johnson, J.	Mariani	Pugh	Urdahl
Biernat	Erickson	Johnson, S.	Marquart	Rhodes	Vandever
Blaine	Finstad	Juhnke	McNamara	Rukavina	Wagenius
Borrell	Fuller	Kahn	Meslow	Ruth	Walker
Boudreau	Gerlach	Kelliher	Mullery	Samuelson	Walz
Bradley	Goodwin	Klinzing	Murphy	Seagren	Wardlow
Brod	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Buesgens	Gunther	Koenen	Nelson, P.	Sertich	Westerberg
Carlson	Haas	Kohls	Newman	Severson	Westrom
Clark	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cornish	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Cox	Hausman	Lanning	Opatz	Slawik	Spk. Sviggum
Davids	Heidgerken	Larson	Osterman	Smith	
Davnie	Hilstrom	Latz	Otremba	Soderstrom	

A quorum was present.

Eken and Nelson, M., were excused.

Erhardt was excused until 3:30 p.m. Olson, M., was excused until 4:10 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Cornish moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 1824, A bill for an act relating to business organizations; enacting and modifying the Uniform Limited Partnership Act of 2001; providing transitional provisions; making conforming changes; regulating the organization, structure, and governance of business corporations, nonprofit corporations, and limited liability companies; appropriating money; amending Minnesota Statutes 2002, sections 5.25, subdivision 1; 302A.011, subdivisions 21, 31, 49, 51, by adding subdivisions; 302A.111, subdivision 2; 302A.115, subdivision 1; 302A.137; 302A.215; 302A.231, subdivisions 4, 6; 302A.401, subdivision 3; 302A.402, subdivision 2; 302A.437, subdivision 1; 302A.441; 302A.471, subdivisions 1, 3; 302A.473, subdivisions 3, 4; 302A.521, subdivision 1; 302A.651, subdivision 1; 302A.661, subdivision 2; 302A.723, subdivision 1; 308A.121, subdivision 1; 317A.011, subdivision 14, by adding a subdivision; 317A.115, subdivision 2; 317A.231, subdivisions 4, 5; 317A.447; 322B.03, subdivisions 36a, 45a; 322B.115, subdivision 2; 322B.12, subdivision 1; 322B.155; 322B.346, subdivision 1; 322B.383, subdivision 1; 322B.386, subdivisions 3, 4; 322B.40, subdivision 6; 322B.63; 322B.643, subdivisions 4, 6; 322B.77, subdivision 2; 323A.1-01; Minnesota Statutes 2003 Supplement, section 317A.443, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 302A; 322B; proposing coding for new law as Minnesota Statutes, chapter 321; repealing Minnesota Statutes 2002, sections 322A.01; 322A.02; 322A.03; 322A.04; 322A.05; 322A.06; 322A.07; 322A.11; 322A.12; 322A.13; 322A.14; 322A.15; 322A.16; 322A.17; 322A.18; 322A.19; 322A.24; 322A.25; 322A.26; 322A.27; 322A.28; 322A.31; 322A.32; 322A.33; 322A.34; 322A.35; 322A.38; 322A.39; 322A.40; 322A.41; 322A.45; 322A.46; 322A.47; 322A.48; 322A.49; 322A.50; 322A.51; 322A.52; 322A.55; 322A.56; 322A.57; 322A.58; 322A.59; 322A.63; 322A.64; 322A.65; 322A.66; 322A.69; 322A.70; 322A.71; 322A.72; 322A.73; 322A.74; 322A.75; 322A.76; 322A.761; 322A.79; 322A.80; 322A.81; 322A.82; 322A.85; 322A.86; 322A.87; 322A.88.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2034, A bill for an act relating to state employment; ratifying certain labor agreements and compensation plans.

Reported the same back with the following amendments:

Page 2, after line 15, insert:

"Subd. 9. [SRSEA.] The labor agreement between the state of Minnesota and the State Residential Schools Education Association, approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 19, 2004, is ratified.

Subd. 10. [MMA.] The labor agreement between the state of Minnesota and the Middle Management Association, approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on March 19, 2004, is ratified."

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2040, A bill for an act relating to water; modifying provisions relating to warrantied sewage treatment systems; creating a certification program for new wastewater treatment technology; appropriating money; amending Minnesota Statutes 2002, section 115.55, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 115; repealing Minnesota Statutes 2002, section 115.55, subdivision 10.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2085, A bill for an act relating to health; providing for review of hospital moratorium exceptions; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 2, lines 3, 19, and 20, delete "determination" and insert "recommendation"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kuisle from the Committee on Transportation Finance to which was referred:

H. F. No. 2247, A bill for an act relating to highways; requiring commissioner of transportation to prepare a preliminary plan for a second beltline around the Minneapolis-St. Paul metropolitan area.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [BELTWAY; PLANNING.]

Subdivision 1. [INCLUSION IN PLANS.] The commissioner of transportation shall evaluate new principal arterial alignments surrounding the metropolitan area as part of the metropolitan area's transportation system plan, with particular attention to evaluating these alignments in the context of planning for a second beltway around the

metropolitan area. The commissioner shall coordinate activities under this subdivision with the Metropolitan Council's preparation of its transportation policy plan. Each alignment must be considered for its capacity to serve urban development and to provide a traffic bypass of the metropolitan area.

Subd. 2. [REPORT.] The commissioner of transportation shall report to the legislature by January 15, 2005, on the activities of the commissioner and council under subdivision 1. The report must include an evaluation of the feasibility and desirability of conducting a comprehensive study, including timetables, detailed documentation, cost, and right-of-way needs of a second beltway.

Sec. 2. [HIGHWAY PROJECTS; USE OF CENTERLINE RUMBLE STRIPS.]

The commissioner of transportation shall:

(1) in all projects for the construction, reconstruction, or resurfacing of two-lane trunk highways outside urban districts, as defined in Minnesota Statutes, section 169.01, subdivision 59, that have a design speed of 55 miles per hour or more, include rumble strips on the centerline of the highway; and

(2) insure that all projects for the construction, reconstruction, or resurfacing of two-lane county state-aid highways outside urban districts that have a design speed of 55 miles per hour or more include rumble strips on the centerline of the highway.

[EFFECTIVE DATE.] This section is effective August 1, 2004, and applies to highway projects for which contracts are let on and after that date.

Sec. 3. [METRO MOBILITY; PREMIUM PARATRANSIT PILOT PROJECT.]

The Metropolitan Council shall, by October 1, 2004, implement a pilot project for subsidizing premium paratransit for certified Metro Mobility users. The council shall make agreements with taxi providers or other providers of small vehicle passenger service under which the council subsidizes trips made by certified Metro Mobility users who have been denied same-day reservations by Metro Mobility. Under the pilot project the user must pay a base fare of \$7 for each such trip, the council must pay the remainder of the fare up to a maximum subsidy of \$13 per trip, and the user must pay that portion of the fare that exceeds \$20. The council shall report to the legislative committees having jurisdiction over transportation policy and finance by January 15, 2005, on the council's activities under this section. The council may not enter into any provider contracts for Metro Mobility that are in effect in fiscal year 2006 or 2007 until after the report has been submitted.

Sec. 4. Minnesota Statutes 2002, section 160.85, subdivision 1, is amended to read:

Subdivision 1. [ROAD AUTHORITY.] A road authority may solicit or accept proposals from and enter into development agreements with counties or private operators for developing, financing, designing, constructing, improving, rehabilitating, owning, and operating toll facilities wholly or partly within the road authority's jurisdiction. A road authority may solicit proposals from private operators only after the county in which the proposed toll facilities will be located has refused or failed to submit a proposal acceptable to the commissioner within 60 days of the county's receipt of the solicitation of proposals. If a road authority solicits toll facility proposals, it must publish a notice of solicitation in the State Register.

Sec. 5. Minnesota Statutes 2002, section 160.85, subdivision 3a, is amended to read:

Subd. 3a. [INFORMATION MEETING.] Before approving or denying a development agreement, the commissioner shall hold a public information meeting in any municipality or county in which any portion of the proposed toll facility runs. The commissioner shall determine the time and place of the information meeting. The commissioner shall make the proposed development agreement available for public review at the meeting and for a reasonable period of time before the meeting.

Sec. 6. Minnesota Statutes 2002, section 160.86, is amended to read:

160.86 [TOLL FACILITY DEVELOPMENT AGREEMENT; REQUIREMENTS.]

A development agreement must include the following provisions:

(a) The toll facility must meet the road authority's standards of design and construction for roads and bridges of the same functional classification.

(b) The commissioner must review and approve the location and design of a bridge over navigable waters as if the bridge were constructed by a road authority. This requirement does not diminish the private operator's responsibility for bridge safety.

(c) The private operator shall manage and operate the toll facility in cooperation with the road authority and subject to the development agreement.

(d) The toll facility is subject to regular inspections by the road authority and the commissioner.

(e) The agreement must provide the terms and conditions of maintenance, snow removal, and police services to the toll facility. The road authority must provide the services. The services must meet at least the road authority's standards for facilities of the same functional classification.

(f) The agreement must establish a reasonable rate of return on investment and capital during the term of the agreement.

(g) A development agreement may not contain a provision that (1) prohibits or restricts a road authority from constructing, improving, or maintaining any highway within its jurisdiction, or (2) prohibits or restricts the development, design, construction, or operation of public transit facilities or service, including commuter rail lines.

Sec. 7. [160.865] [TOLL FACILITIES; ADDITIONAL PLANNING REQUIREMENTS.]

Subdivision 1. [INCLUSION IN STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM.] The commissioner of transportation may not make a development agreement for a toll facility unless the facility is included in the commissioner's statewide transportation improvement program for the federal fiscal year in which construction of the facility would begin.

Subd. 2. [BUDGET SUBMISSION.] As part of the commissioner's biennial budget submission to the legislature, the commissioner shall include a status report of all toll facilities under active consideration at the time of preparation of the budget, including:

(1) solicitations of interest;

(2) requests for letters of interest;

(3) calls for corridor concepts;

(4) selection of corridors;

(5) formal requests for proposals, requests for qualifications, and requests for public partners; and

(6) completed development agreements.

The report must include responses to clauses (1) through (5) to the extent that information in such responses may be disclosed under section 13.591, subdivision 3.

Subd. 3. [REPORT TO LEGISLATIVE COMMITTEES.] The commissioner shall notify the chairs of the senate and house of representatives committees having jurisdiction over transportation policy and finance each time the commissioner selects a corridor with the intention of soliciting proposals for a toll facility in that corridor. The notification must be made within ten days of the selection.

Sec. 8. Minnesota Statutes 2002, section 160.87, is amended by adding a subdivision to read:

Subd. 4. [LIMITATION ON COLLECTION OF TOLLS; USE OF TOLL REVENUE.] (a) Notwithstanding subdivisions 1 to 3, a toll facility operator or road authority may collect tolls on a toll facility only until all costs related to the construction of the facility, including right-of-way acquisition and payment of principal and interest on any debt incurred therefore, have been paid.

(b) Toll revenue under sections 160.84 to 160.92 may only be used for costs related to construction as authorized under paragraph (a), and costs of maintaining and operating the facility.

Sec. 9. [160.93] [LIMIT ON DEVELOPMENT AGREEMENTS.]

The commissioner may not enter into more than two development agreements under sections 160.84 to 160.92 before July 1, 2006.

Sec. 10. [160.94] [COMPATIBILITY OF TOLL-COLLECTION SYSTEMS.]

The commissioner shall take all necessary steps to insure that (1) all toll facilities use exclusively electronic collection methods, and (2) to the maximum feasible degree, all toll-collection systems used in Minnesota are compatible with each other.

Sec. 11. Minnesota Statutes 2002, section 168.187, is amended by adding a subdivision to read:

Subd. 27. [PROHIBITED OPERATION.] The commissioner of public safety shall refuse to issue a vehicle registration, license plate, or permit to a vehicle licensed under this section if the vehicle is assigned to a commercial motor carrier who has been prohibited from operating in interstate commerce by a federal agency with authority to do so under federal law.

The commissioner of public safety may revoke the registration of a vehicle licensed under this section if the vehicle is assigned to a commercial motor carrier who has been prohibited from operating in interstate commerce by a federal agency with authority to do so under federal law.

If the prohibition by the federal agency is rescinded, the commissioner of public safety may reinstate a vehicle registration under this section if registration taxes and fees have been paid.

Sec. 12. Minnesota Statutes 2002, section 168.27, subdivision 24, is amended to read:

Subd. 24. [BONDS.] (a) Except as otherwise provided in this subdivision, all persons licensed according to this section shall keep in full force and effect a bond with a corporate surety to be approved by the registrar of motor vehicles in the following amounts; in the case of boat trailer, snowmobile trailer, horse trailer or motorized bicycle dealers, or dealers in trailers with a manufacturer's rated carrying capacity under 15,000 pounds designed to transport small construction or farm equipment, in the amount of \$5,000; and as to all other persons in the amount of \$50,000. The bond must be conditioned on the faithful performance by the licensee of the obligations imposed on persons engaged in motor vehicle transactions by the laws of this state, including the conduct required of a licensee by this section and other sections governing the sale or transfer of motor vehicles, and the payment of all taxes, license fees, and penalties. The bond must be for the benefit of the state of Minnesota and any transferor, seller, or

purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above. Proceedings on the forfeiture of the bonds must be commenced in the district court of the county wherein the business of the licensed person was carried on, or if in more than one county, the county in which the offense occurred. This subdivision does not apply to a used vehicle parts dealer or a scrap metal processor.

(b) If a dealer required to have a corporate surety bond under this subdivision is unable to obtain it, as shown by rejections from two companies in the business of issuing these bonds, the dealer is exempt from the requirement to have a corporate surety bond if the dealer executes and files with the commissioner a signature bond signed by the dealer, without sureties, on a bond form provided by the commissioner, for the benefit of the same parties as bonds described in paragraph (a), conditioned upon the requirements stated in paragraph (a), and conditioned further upon the dealer:

(1) not having control of amounts owed by customers to the state for motor vehicle excise taxes, registration fees, filing fees, or any other purpose except to the extent required to comply with clause (3);

(2) instructing all customers to pay all amounts described in clause (1) through customer checks, cashier's checks, or money orders written directly to the state or to the appropriate state agency as payee; and

(3) ensuring that all customer payments of obligations to the state described in clauses (1) and (2) are delivered to the state within two business days.

(c) This subdivision does not apply to a dealer in trailers designed to transport small construction or farm equipment in any calendar year after a year in which the dealer's gross receipts from the sale of trailers was less than \$500,000.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 13. Minnesota Statutes 2002, section 168A.11, subdivision 1, is amended to read:

Subdivision 1. ~~[APPLICATION REQUIREMENTS UPON SUBSEQUENT TRANSFER.]~~ (a) ~~If A dealer who buys a vehicle and holds it for resale and procures the certificate of title from the owner, and complies with subdivision 2 hereof, the dealer~~ need not apply for a certificate of title, ~~but~~. Upon transferring the vehicle to another person other than by the creation of a security interest, the dealer shall promptly execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any secured party holding a security interest created or reserved at the time of the resale, and the date of the security agreement in the spaces provided therefor on the certificate of title or secure reassignment.

(b) With respect to motor vehicles subject to the provisions of section 325E.15, the dealer shall also, in the space provided therefor on the certificate of title or secure reassignment, state the true cumulative mileage registered on the odometer or that the exact mileage is unknown if the odometer reading is known by the transferor to be different from the true mileage.

(c) The transferee shall complete the application for title section on the certificate of title or separate title application form prescribed by the department. The dealer shall mail or deliver the certificate to the registrar or deputy registrar with the transferee's application for a new certificate and appropriate taxes and fees, within ten business days.

(d) With respect to vehicles sold to buyers who will remove the vehicle from this state, the dealer shall remove any license plates from the vehicle, issue a 31-day temporary permit pursuant to section 168.091, and notify the registrar within 48 hours of the sale that the vehicle has been removed from this state. The notification must be made in an electronic format prescribed by the registrar. The dealer may contract with a deputy registrar for the notification of sale to an out-of-state buyer. The deputy registrar may charge a fee of \$7 per transaction to provide this service.

Sec. 14. Minnesota Statutes 2002, section 168A.11, subdivision 2, is amended to read:

Subd. 2. ~~[PURCHASE RECEIPT NOTIFICATION ON VEHICLE HELD FOR RESALE.] A dealer, on buying a vehicle for which the seller does not present a certificate of title, shall at the time of taking delivery of the vehicle execute a purchase receipt for the vehicle in a format designated by the department, and deliver a copy to the seller. In a format and at a time prescribed by the registrar, the dealer shall notify the registrar that the vehicle is being held for resale by the dealer. Within 48 hours of acquiring a vehicle titled and registered in Minnesota, a dealer shall notify the registrar that the dealership is holding the vehicle for resale. The notification must be made electronically as prescribed by the registrar. The dealer may contract this service to a deputy registrar and the registrar may charge a fee of \$7 per transaction to provide this service.~~

Sec. 15. Minnesota Statutes 2002, section 169.448, is amended by adding a subdivision to read:

Subd. 4. [DAY ACTIVITY CENTER BUSES.] (a) Notwithstanding subdivision 1, a vehicle used to transport adults to and from a day activity center may be equipped with prewarning flashing amber signals and a stop-signal arm, and the operator of the vehicle may activate this equipment under the following circumstances:

(1) the operator possesses a commercial driver's license with a school bus endorsement;

(2) the vehicle is engaged in picking up or dropping off adults at locations predesignated by the day activity center that owns or leases the bus;

(3) the vehicle is identified as a "day activity center bus" in letters at least eight inches high on the front and rear top of the bus;

(4) the name, address, and telephone number of the owner and operator of the bus is identified on each front door of the bus in letters not less than three inches high; and

(5) notwithstanding subdivision 1, paragraph (a), the vehicle is painted national school bus glossy yellow.

(b) The provisions of section 169.444 relating to duties of care of a motorist to a school bus, and violations thereof, apply to a vehicle described in this section when the vehicle is operated in conformity with this subdivision. The provisions of section 169.443 relating to a bus driver's duties apply to a vehicle described in this section except those which by their nature have no application.

Sec. 16. Minnesota Statutes 2002, section 169.824, subdivision 2, is amended to read:

Subd. 2. [GROSS VEHICLE WEIGHT OF ALL AXLES.] (a) Notwithstanding the provisions of section 169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles shall not exceed:

(1) except as provided in clause (2), 80,000 pounds for any vehicle or combination of vehicles on all state trunk highways as defined in section 160.02, subdivision 29, and for all routes designated under section 169.832, subdivision 11;

(2) 88,000 pounds for any vehicle or combination of vehicles with six or more axles while exclusively engaged in hauling livestock on all state trunk highways other than interstate highways, if the vehicle has a permit under section 169.86, subdivision 5, paragraph (j);

(3) 73,280 pounds for any vehicle or combination of vehicles with five axles or less on all routes, other than state trunk highways and routes that are designated under section 169.832, subdivision 11; and

~~(3)~~ (4) 80,000 pounds for any vehicle or combination of vehicles with six or more axles on all routes, other than state trunk highways and routes that are designated under section 169.832, subdivision 11.

(b) The maximum weights specified in this section for five consecutive axles shall not apply to a four-axle ready-mix concrete truck which was equipped with a fifth axle prior to June 1, 1981. The maximum gross weight on four or fewer consecutive axles of vehicles excepted by this clause shall not exceed any maximum weight specified for four or fewer consecutive axles in this section.

Sec. 17. Minnesota Statutes 2003 Supplement, section 169.86, subdivision 5, is amended to read:

Subd. 5. [FEE; PROCEEDS TO TRUNK HIGHWAY FUND.] The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.

(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(3) motor vehicles operating with gross weights authorized under section 169.826, subdivision 1a;

(4) special pulpwood vehicles described in section 169.863;

(5) motor vehicles bearing snowplow blades not exceeding ten feet in width; and

(6) noncommercial transportation of a boat by the owner or user of the boat.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) mobile cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes;

(4) implements of husbandry when the movement is not made according to the provisions of paragraph (i);

(5) double-deck buses;

(6) commercial boat hauling.

(e) For vehicles which have axle weights exceeding the weight limitations of sections 169.822 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Weight (pounds) exceeding weight limitations on axles	Cost Per Mile For Each Group Of:		
	Two consecutive axles spaced within 8 feet or less	Three consecutive axles spaced within 9 feet or less	Four consecutive axles spaced within 14 feet or less
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06
6,001-8,000	.21	.09	.07
8,001-10,000	.26	.10	.08
10,001-12,000	.30	.12	.09
12,001-14,000	Not permitted	.14	.11
14,001-16,000	Not permitted	.17	.12
16,001-18,000	Not permitted	.19	.15
18,001-20,000	Not permitted	Not permitted	.16
20,001-22,000	Not permitted	Not permitted	.20

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828, subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

(1) the total width of the transporting vehicle, including load, does not exceed 14 feet;

(2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;

(3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;

(4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and

(5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehicle on an interstate highway, and movements of 75 miles or more on other highways.

(j) \$200 for an annual permit for a vehicle operating under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

Sec. 18. Minnesota Statutes 2002, section 169.985, is amended to read:

169.985 [TRAFFIC CITATION QUOTA PROHIBITED.]

A law enforcement agency may not order, mandate, require, or suggest to a peace officer a quota for the issuance of traffic citations, including citations for violations of vehicle size, weight, and load restrictions, on a daily, weekly, monthly, quarterly, or yearly basis.

Sec. 19. Minnesota Statutes 2002, section 171.05, subdivision 1, is amended to read:

Subdivision 1. [PERSON 18 OR MORE YEARS OF AGE.] Any person who is 18 or more years of age and who, except for a lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a class D driver's license under this chapter, may apply for an instruction permit and the department shall issue such permit entitling the applicant, while having such permit in immediate possession, to drive a motor vehicle for which a class D license is valid upon the highways for a period of ~~one year~~ two years, but such person must be accompanied by an adult licensed driver who is actually occupying a seat beside the driver. Any license of a lower class may be used as an instruction permit for a higher class for a period of six months after passage of the written test or tests required for the higher class and when the licensee is accompanied by and receiving instruction from a holder of the appropriate higher class license. A copy of the record of examination taken for the higher class license must be carried by the driver while using such lower class license as an instruction permit.

Sec. 20. Minnesota Statutes 2002, section 171.05, subdivision 2, is amended to read:

Subd. 2. [PERSON LESS THAN 18 YEARS OF AGE.] (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or is enrolled in either:

(i) a public, private, or commercial driver education program that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training; or

(ii) an approved behind-the-wheel driver education program when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a home-school diploma, the student's status as a home-school student has been certified by the superintendent of the school district in which the student resides, and the student is taking home-classroom driver training with classroom materials approved by the commissioner of public safety;

(2) has completed the classroom phase of instruction in the driver education program;

(3) has passed a test of the applicant's eyesight;

(4) has passed a department-administered test of the applicant's knowledge of traffic laws;

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (v) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

(6) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for ~~one year~~ two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

Sec. 21. Minnesota Statutes 2002, section 171.165, subdivision 1, is amended to read:

Subdivision 1. [FIRST VIOLATION.] Subject to section 171.166, the commissioner shall disqualify a person from operating commercial motor vehicles for one year upon receiving a record of the first conviction of the person for committing a violation of any of the following offenses while operating a ~~commercial~~ motor vehicle:

(1) section 169A.20 or 169A.31;

(2) section 169.09, subdivision 1 or 2;

(3) a felony, other than a felony described in subdivision 3, paragraph (a), clause (2), item (ii);

(4) driving with a revoked, suspended, canceled, denied, or disqualified commercial driver's license;

(5) causing a fatality through the negligent or criminal operation of a commercial motor vehicle; or

(6) an offense committed in another state that would be grounds for disqualification under this subdivision or subdivision 2 if committed in Minnesota.

Sec. 22. Minnesota Statutes 2002, section 171.165, subdivision 4, is amended to read:

Subd. 4. [SERIOUS TRAFFIC VIOLATION.] On receiving a record of conviction and subject to section 171.166, the commissioner shall disqualify a person from operating commercial motor vehicles for 60 days if the person is convicted of two serious traffic violations, or 120 days if convicted of three serious traffic violations. The violations must involve separate incidents and must have been committed in a ~~commercial~~ motor vehicle within a three-year period. For purposes of this subdivision, a serious traffic violation includes the following:

(1) following too closely under section 169.18, subdivision 8;

(2) erratic lane change under sections 169.18, subdivisions 3 and 7; and 169.19, subdivision 4;

(3) operating the ~~commercial~~ vehicle at a speed 15 miles per hour or more above the posted speed limit;

(4) reckless or careless driving under section 169.13;

(5) fleeing a peace officer under section 609.487;

(6) a violation of a moving traffic statute of Minnesota or any state, or an ordinance in conformity with a Minnesota statute, that arose in connection with a fatal accident;

(7) operating a commercial motor vehicle without the proper class of commercial driver's license or endorsements for the type of vehicle being operated; and

(8) operating a commercial motor vehicle without a commercial driver's license in immediate possession, unless the person provides proof to the court that, on the date of the citation, the person held a valid commercial driver's license of the proper class and with the proper endorsements.

Sec. 23. Minnesota Statutes 2002, section 171.165, is amended by adding a subdivision to read:

Subd. 8. [ADOPTION OF FEDERAL REGULATIONS.] Code of Federal Regulations, title 49, section 383.51, is incorporated by reference.

Sec. 24. Minnesota Statutes 2003 Supplement, section 171.20, subdivision 4, is amended to read:

Subd. 4. [REINSTATEMENT FEE.] (a) Before the license is reinstated, (1) a person whose driver's license has been suspended under section 171.16, subdivision 2; 171.18, except subdivision 1, clause (10); or 171.182, or who has been disqualified from holding a commercial driver's license under section 171.165, and (2) a person whose driver's license has been suspended under section 171.186 and who is not exempt from such a fee, must pay a fee of \$20.

(b) Before the license is reinstated, a person whose license has been suspended ~~or revoked~~ under sections 169.791 to 169.798 must pay a \$20 reinstatement fee.

(c) When fees are collected by a licensing agent appointed under section 171.061, a handling charge is imposed in the amount specified under section 171.061, subdivision 4. The reinstatement fee and surcharge must be deposited in an approved state depository as directed under section 171.061, subdivision 4.

(d) A suspension may be rescinded without fee for good cause.

Sec. 25. [171.324] [HAZARDOUS MATERIALS LICENSE ENDORSEMENT BACKGROUND CHECKS.]

Subdivision 1. [ENDORSEMENT; FEE; ACCOUNT; APPROPRIATION.] (a) Before being issued or renewing a class C, class B, or class A driver's license with a hazardous materials endorsement, an applicant must comply with the federal regulations incorporated in this section.

(b) The commissioner may charge the applicant a fee of up to \$100 to cover the department's actual costs of conducting the required background check of persons applying for a Minnesota driver's license with a hazardous materials endorsement. The proceeds of the fee must be deposited in an account in the special revenue fund. Money in the account is annually appropriated to the commissioner to pay the actual costs associated with conducting the required background checks.

Subd. 2. [ADOPTION OF FEDERAL REGULATIONS.] Public Law 107-56, section 1012, as implemented in Code of Federal Regulations, title 49, part 1572, is incorporated by reference except for sections 1572.9 and 1572.11.

Subd. 3. [RULES.] The commissioner may adopt rules pursuant to section 14.388, subdivision 1, clause (1), in order to implement this section.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 26. [174.53] [TEN-TON COUNTY HIGHWAY SYSTEM.]

The commissioner shall develop a plan for a statewide system of ten-ton county and county state-aid highways to, in order of priority:

(1) support the commissioner's interregional corridor system;

(2) provide greater efficiencies for forestry, agriculture, and other industries in transporting their produce to market; and

(3) provide new and existing manufacturing industries with new growth opportunities.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 27. Minnesota Statutes 2002, section 179A.03, subdivision 7, is amended to read:

Subd. 7. [ESSENTIAL EMPLOYEE.] "Essential employee" means firefighters, peace officers subject to licensure under sections 626.84 to 626.863, 911 system and police and fire department public safety dispatchers, guards at correctional facilities, confidential employees, supervisory employees, assistant county attorneys, assistant city attorneys, principals, and assistant principals. However, for state employees, "essential employee" means all employees in law enforcement, public safety radio communications operators, health care professionals, correctional guards, professional engineering, and supervisory collective bargaining units, irrespective of severance, and no other employees. For University of Minnesota employees, "essential employee" means all employees in law enforcement, nursing professional and supervisory units, irrespective of severance, and no other employees. "Firefighters" means

salaries of employees of a fire department whose duties include, directly or indirectly, controlling, extinguishing, preventing, detecting, or investigating fires. Employees for whom the state court administrator is the negotiating employer are not essential employees.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 28. Minnesota Statutes 2002, section 179A.10, subdivision 2, is amended to read:

Subd. 2. [STATE EMPLOYEES.] Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. Supervisory employees shall only be assigned to units 12 and 16. The following are the appropriate units of executive branch state employees:

- (1) Law Enforcement Unit;
- (2) Craft, Maintenance, and Labor unit;
- (3) Service Unit;
- (4) Health Care Nonprofessional Unit;
- (5) Health Care Professional Unit;
- (6) Clerical and Office Unit;
- (7) Technical Unit;
- (8) Correctional Guards Unit;
- (9) State University Instructional Unit;
- (10) State College Instructional Unit;
- (11) State University Administrative Unit;
- (12) Professional Engineering Unit;
- (13) Health Treatment Unit;
- (14) General Professional Unit;
- (15) Professional State Residential Instructional Unit; ~~and~~
- (16) Supervisory Employees Unit; and
- (17) Public Safety Radio Communications Operator Unit.

Each unit consists of the classifications or positions assigned to it in the schedule of state employee job classification and positions maintained by the commissioner. The commissioner may only make changes in the schedule in existence on the day prior to August 1, 1984, as required by law or as provided in subdivision 4.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 29. Minnesota Statutes 2002, section 360.015, is amended by adding a subdivision to read:

Subd. 6a. [STATE AVIATION PLAN.] The commissioner must prepare a 20-year state aviation plan that addresses all key and intermediate airports in Minnesota. The commissioner shall consult with the Metropolitan Airports Commission in preparing the plan. The commissioner shall adopt the plan by January 1, 2006, and adopt an updated version of the plan every five years thereafter.

Sec. 30. Minnesota Statutes 2002, section 609.531, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purpose of sections 609.531 to 609.5318, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a dangerous weapon as defined under section 609.02, subdivision 6, that the actor used or had in possession in furtherance of a crime.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the Bureau of Criminal Apprehension, the Minnesota Division of Driver and Vehicle Services, the Minnesota State Patrol, a county sheriff's department, the Suburban Hennepin Regional Park District park rangers, the Department of Natural Resources Division of Enforcement, the University of Minnesota Police Department, or a city or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter, chapter 152, or chapter 624;

(2) for driver's license or identification card transactions: any violation of section 171.22; and

(3) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.66, subdivision 1e; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 609.895; 617.246; or a gross misdemeanor or felony violation of section 609.891 or 624.7181; or any violation of section 609.324.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Sec. 31. [TRANSITION.]

Subdivision 1. [ASSIGNMENT OF JOB CLASSIFICATION TO UNIT.] The commissioner of the Bureau of Mediation Services shall assign the job classifications and positions of employees working as public safety radio communications operators to state employee bargaining unit 17.

Subd. 2. [TERMS AND CONDITIONS OF EMPLOYMENT.] The terms and conditions of the collective bargaining agreement, memoranda of understanding, or other salary and benefit provisions covering public safety radio communications operators immediately before the effective date of this section remain in effect until a successor agreement between the commissioner of employee relations and the exclusive representative of bargaining unit 17 becomes effective, subject to Minnesota Statutes, section 179A.20, subdivision 6.

Subd. 3. [EXCLUSIVE REPRESENTATIVE.] The employee organization that is the exclusive representative of employees assigned to bargaining unit 17 on the day before the effective date of this section must be certified by the commissioner of the Bureau of Mediation Services as the exclusive representative of newly created bargaining unit 17, subject to future changes as provided in Minnesota Statutes, section 179A.12. For employees assigned to bargaining unit 17, the exclusive representative retains all rights and obligations under the contract governing these employees immediately before the effective date of this section, so long as that contract continues to apply to those employees.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 32. [NOT TO AFFECT BRIDGE POSTINGS.]

Nothing in sections 16 and 17 authorizes operation of any vehicle on any bridge in violation of gross weight limitations lawfully posted for that bridge."

Delete the title and insert:

"A bill for an act relating to transportation; requiring the commissioner of transportation to evaluate principal arterial alignments surrounding the metropolitan area as part of evaluation of a second beltway; requiring future use of highway centerline rumble strips; providing for premium paratransit project; regulating toll facilities; modifying interstate vehicle registration provisions; modifying bond requirements for vehicle dealers; modifying vehicle certificate of title provisions pertaining to dealers and authorizing a fee for deputy registrars; regulating day activity center buses; modifying gross vehicle weight provisions; regulating use of traffic citations; extending duration of driver instruction permits to two years; modifying requirements for commercial vehicle drivers; modifying driver's license fee provisions; requiring plan for county ten-ton highway system; modifying provisions relating to public safety radio communications operators; requiring preparation of 20-year state aviation plan; including the Division of Driver and Vehicle Services in the definition of appropriate agency for purposes of certain property forfeitures; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2002, sections 160.85, subdivisions 1, 3a; 160.86; 160.87, by adding a subdivision; 168.187, by adding a subdivision; 168.27, subdivision 24; 168A.11, subdivisions 1, 2; 169.448, by adding a subdivision; 169.824, subdivision 2; 169.985; 171.05, subdivisions 1, 2; 171.165, subdivisions 1, 4, by adding a subdivision; 179A.03, subdivision 7; 179A.10, subdivision 2; 360.015, by adding a subdivision; 609.531, subdivision 1; Minnesota Statutes 2003 Supplement, section 169.86, subdivision 5; 171.20, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 160; 171; 174."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2255, A bill for an act relating to claims against the state; providing for settlement of various claims; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEPARTMENT OF CORRECTIONS.]

The amounts in this section are appropriated from the general fund to the commissioner of corrections in fiscal year 2005 as full and final payment under Minnesota Statutes, section 3.739, of claims against the state for injuries suffered by and medical services provided to persons injured while performing community service or sentence-to-service work for correctional purposes or while incarcerated in a correctional facility.

(a) For claims already paid by the department, \$1,304.84.

(b) For payment to William Brown for a permanent partial disability suffered while performing community service work in Carlton County, \$35,090.

(c) For payment to Jaamal Ali, for a permanent partial disability suffered while performing sentence-to-service work in Olmsted County, \$850; and for medical services provided to Jaamal Ali, \$2,974.35.

(d) For payment to D. W., a juvenile, for a permanent partial disability suffered while performing community service work in Stearns County, \$5,800.

(e) For payment to Jim Gibson, for a permanent partial disability suffered while performing duties at the Minnesota Correctional Facility - Lino Lakes, \$3,187.50.

(f) For payment to Michael Harper, for a permanent partial disability suffered while performing sentence-to-service work in Washington County, \$750; and for medical services provided to Michael Harper, \$1,061.25.

(g) For payment to Jeffie King, for a permanent partial disability suffered while performing duties at the Minnesota Correctional Facility - Stillwater, \$9,350.

(h) For payment to Joe Rodriguez, for a permanent partial disability suffered while performing duties at the Minnesota Correctional Facility - Moose Lake, \$247.50.

(i) For payment to Steven Rosoff for a permanent partial disability suffered while performing sentence-to-service work in Hennepin County, \$7,200.

Sec. 2. [DEPARTMENT OF NATURAL RESOURCES.]

Subdivision 1. [BODE CLAIM.] \$27,000 is appropriated from the general fund to the commissioner of natural resources in fiscal year 2005 to reimburse Linda and Judy Bode, of Nicollet, Minnesota, for tiling that was destroyed in 1992 and 1993, as a full and final settlement of their claim against the state.

Subd. 2. [PETTY CLAIM.] \$38,118.57 is appropriated from the general fund to the commissioner of natural resources in fiscal year 2005 for payment to Petty and Sons Timber Products, Inc. of Wahkon, Minnesota, as a full and final settlement of its claim against the state for losses suffered because of a moratorium imposed on raising logs from Minnesota lake bottoms.

Subd. 3. [SHOEN CLAIM.] \$1,353.26 is appropriated from the general fund to the commissioner of natural resources in fiscal year 2005 for payment to Samuel and June Shoen of Angle Inlet, Minnesota, as a full and final settlement of their claim against the state for reimbursement of trespass fines paid during settlement of a land exchange."

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2331, A bill for an act relating to drivers' licenses; reallocating fees to motorcycle safety fund and removing funding cap; amending Minnesota Statutes 2002, section 171.06, subdivision 2a.

Reported the same back with the following amendments:

Page 1, delete line 18 and insert "provided that ~~any~~ ten percent of fee receipts in excess of \$750,000 in a fiscal"

Page 1, line 19, reinstate the stricken "year shall be credited"

Page 1, line 20, reinstate the stricken "to the general fund"

Page 1, line 22, delete the new language

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2773, A bill for an act relating to retirement; Minneapolis Teachers Retirement Fund Association; requiring the investment of state aid to the retirement fund by the State Board of Investment; revising the administrative expense surcharge; requiring additional funding by members and recipients in the event of investment underperformance; amending Minnesota Statutes 2002, sections 354A.12, subdivisions 3a, 3d, by adding a subdivision; 354A.28, subdivision 9; Minnesota Statutes 2003 Supplement, section 354A.12, subdivision 3b; proposing coding for new law in Minnesota Statutes, chapter 354A.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2867, A bill for an act relating to state government; appropriating money for prekindergarten through grade 12 education, including general education, education excellence, special programs, and facilities and technology; early childhood and family education, including prevention and self-sufficiency and lifelong learning; and health and human services; amending Minnesota Statutes 2003 Supplement, section 123B.54; Laws 2003, First Special Session chapter 9, article 1, section 53, subdivisions 2, 3, 5, 6, 11, 12; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivisions 2, 3, 4, 5, 7, 9, 12; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivisions 4, 5, 6, 7, 8, 9; Laws 2003, First Special Session chapter 9, article 4, section 31, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 5, section 35, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 7, section 11, subdivision 3; Laws 2003, First Special Session chapter 9, article 8, section 7, subdivisions 2, 5; Laws 2003, First Special Session chapter 9, article 9, section 9, subdivision 2; Laws 2003, First Special Session chapter 14, article 13C, sections 1; 2, subdivisions 1, 3, 6, 7, 9, 11; 10, subdivisions 1, 2.

Reported the same back with the following amendments:

Page 10, lines 15 and 16, reinstate the stricken language

Page 30, line 5, delete "213,094,000" and insert "212,844,000"

Page 31, line 48, strike "\$107,829,000" and insert "\$106,221,000" and strike "\$92,649,000" and insert "\$97,564,000"

Page 31, line 51, delete "94,424,000" and insert "92,224,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 3016, A bill for an act relating to education; providing for prekindergarten through grade 12 education and early childhood and family education including general education, special programs, academic excellence, facilities, nutrition, and accounting, other programs, libraries, early childhood programs, prevention, self-sufficiency and lifelong learning, state agencies, deficiencies, technical and conforming amendments, and academic standards; providing for rulemaking; appropriating money; amending Minnesota Statutes 2002, sections 13.321, subdivision 1, by adding subdivisions; 119A.46, subdivisions 2, 3, 8; 120A.05, by adding a subdivision; 120B.35, by adding a subdivision; 121A.22, subdivision 2; 121A.34, by adding subdivisions; 121A.45, subdivision 3; 121A.48; 122A.06, subdivision 4; 122A.12, by adding a subdivision; 122A.16; 122A.18, subdivision 2a, by adding a subdivision; 122A.20, subdivision 2; 123A.05, subdivision 2; 123A.55; 123B.02, subdivision 14; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.195; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.53, subdivision 6; 123B.71, subdivision 9; 123B.75, by adding a subdivision; 123B.76, by adding a subdivision; 123B.82; 123B.92, subdivision 5; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding a subdivision; 124D.16, subdivision 2; 124D.19, subdivision 11; 124D.20, by adding a subdivision; 124D.59, as amended; 124D.61; 124D.68, subdivisions 3, 9; 124D.69, subdivision 1; 125A.023, subdivision 3; 125A.03; 125A.07; 125A.22; 125A.46; 125A.51; 125A.79, subdivisions 5, 7, by adding subdivisions; 125B.15; 126C.15, subdivision 2, by adding a subdivision; 126C.21, subdivision 4; 126C.48, subdivision 8; 127A.42, subdivisions 4, 6; 127A.45, subdivision 11; 127A.47, subdivision 3; 134.31, by adding a subdivision; 134.50; 169.451; 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 171.19; 260A.03; 631.40, subdivision 4; Minnesota Statutes 2003 Supplement, sections 16A.152, subdivision 2; 119A.46, subdivision 1; 120B.021, subdivision 3, by adding a subdivision; 120B.024; 120B.36; 122A.09, subdivision 4; 123B.54; 123B.77, subdivision 4; 123B.92, subdivision 1; 124D.095, subdivisions 4, 7, 8; 124D.10, subdivisions 3, 4, 8; 124D.11, subdivisions 1, 2, 9; 124D.385, subdivision 2; 124D.42, subdivision 6; 124D.454, subdivision 2; 124D.531, subdivisions 1, 4; 125A.023, subdivision 4; 125A.75, subdivision 8; 125A.79, subdivision 1; 126C.10, subdivisions 3, 31; 126C.15, subdivision 1; 126C.17, subdivision 9; 126C.40, subdivision 1; 126C.43, subdivisions 2, 3; 126C.44; 126C.63, subdivision 8; 127A.41, subdivision 9; 127A.42, subdivision 2; 127A.47, subdivisions 7, 8; 128C.05, subdivision 1a; 275.065, subdivision 1; 475.61, subdivision 4; Laws 2003, chapter 130, section 12; Laws 2003, First Special Session chapter 9, article 1, section 53, subdivisions 2, 3, 5, 6, 11, 12; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivisions 2, 3, 4, 5, 7, 9, 12, 15, 16, 17, 19, 21, as amended; Laws 2003, First Special Session chapter 9, article 3, section 19; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivisions 4, 5, 6, 7, 8, 9; Laws 2003, First Special Session chapter 9, article 4, section 29; Laws 2003, First Special Session chapter 9, article 4, section 31, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 5, section 35, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 6, section 4; Laws 2003, First

Special Session chapter 9, article 7, section 11, subdivisions 2, 3; Laws 2003, First Special Session chapter 9, article 8, section 7, subdivisions 2, 5; Laws 2003, First Special Session chapter 9, article 9, section 9, subdivisions 2, 5; Laws 2003, First Special Session chapter 9, article 10, section 10, subdivision 2; Laws 2003, First Special Session chapter 9, article 10, section 11; Laws 2003, First Special Session chapter 9, article 10, section 12; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 121A; 122A; 123B; 125B; 127A; 171; repealing Minnesota Statutes 2002, sections 124D.15, subdivisions 2, 4, 6, 8, 9, 11, 13; 124D.16, subdivisions 1, 4; 124D.41; 124D.42, subdivisions 1, 2, 4, 5, 7; 124D.43; 126C.23; 134.47, subdivision 3; Minnesota Statutes 2003 Supplement, sections 124D.15, subdivision 7; 124D.42, subdivision 3.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 3141, A bill for an act relating to transportation; reducing certain appropriations to the Department of Transportation, Department of Public Safety, and Metropolitan Council; limiting certain deposits of revenue from the motor vehicle sales tax; temporarily allowing money for certain activities to be spent for bus transit; amending Minnesota Statutes 2003 Supplement, section 297B.09, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1824, 2034, 2040, 2085, 2255, 2331, 2773 and 2867 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Abeler and Otto introduced:

H. F. No. 3143, A bill for an act relating to education; prohibiting a school district or charter school from purchasing chromated copper arsenate treated lumber; proposing coding for new law in Minnesota Statutes, chapter 123B.

The bill was read for the first time and referred to the Committee on Education Policy.

Dorn introduced:

H. F. No. 3144, A bill for an act relating to the city of Mankato; expanding use of local sales tax revenues; amending Laws 1991, chapter 291, article 8, section 27, subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Abeler and Huntley introduced:

H. F. No. 3145, A bill for an act relating to health; modifying licensing requirements for licensed professional counselors; amending Minnesota Statutes 2003 Supplement, sections 148B.52; 148B.53, subdivisions 1, 3; 148B.54; 148B.55; 148B.59; proposing coding for new law in Minnesota Statutes, chapter 148B.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Abeler and Huntley introduced:

H. F. No. 3146, A bill for an act relating to health; modifying licensure requirements for alcohol and drug counselors; amending Minnesota Statutes 2003 Supplement, sections 148C.04, subdivision 6; 148C.075, subdivision 2, by adding a subdivision; 148C.11, subdivision 6, by adding a subdivision; 148C.12, subdivisions 2, 3.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Kahn introduced:

H. F. No. 3147, A bill for an act relating to taxation; allocating income for purposes of income tax; authorizing grants to biotechnology and health sciences businesses; appropriating money; amending Minnesota Statutes 2002, section 290.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 469.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Dempsey introduced:

H. F. No. 3148, A bill for an act relating to education; allowing school districts to participate in the state employee health and dental plans; amending Minnesota Statutes 2003 Supplement, section 43A.24, subdivision 2.

The bill was read for the first time and referred to the Committee on Education Finance.

Kelliher introduced:

H. F. No. 3149, A bill for an act relating to health; providing for do not resuscitate/do not intubate orders; providing liability protection for certain health professionals; proposing coding for new law as Minnesota Statutes, chapter 145D.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Monday, March 29, 2004:

H. F. Nos. 995, 2227, 1941, 2107, 1645, 2383, 2187, 1691, 2103, 2071, 2235, 1683, 2455, 2484, 2363, 2586, 2630 and 2651; S. F. No. 1621; and H. F. Nos. 1983, 2691 and 3067.

CALENDAR FOR THE DAY

H. F. No. 1851, A bill for an act relating to bridges; deleting requirement for Regional Development Commission or Metropolitan Council approval of projects funded from state transportation fund; repealing Minnesota Statutes 2002, section 174.50, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Hilty	Lenczewski	Otto	Solberg
Abrams	Demmer	Holberg	Lesch	Ozment	Stang
Adolphson	Dempsey	Hoppe	Lieder	Paulsen	Strachan
Anderson, B.	Dill	Hornstein	Lindgren	Paymar	Swenson
Anderson, I.	Dorman	Howes	Lindner	Pelowski	Sykora
Anderson, J.	Dorn	Huntley	Lipman	Penas	Thao
Atkins	Eastlund	Jacobson	Magnus	Peterson	Thissen
Beard	Ellison	Jaros	Mahoney	Powell	Tingelstad
Bernardy	Entenza	Johnson, J.	Mariani	Pugh	Urdahl
Biernat	Erickson	Johnson, S.	Marquart	Rhodes	Vandever
Blaine	Finstad	Juhnke	McNamara	Rukavina	Wagenius
Borrell	Fuller	Kahn	Meslow	Ruth	Walker
Boudreau	Gerlach	Kelliher	Mullery	Samuelson	Walz
Bradley	Goodwin	Klinzing	Murphy	Seagren	Wardlow
Brod	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Buesgens	Gunther	Koenen	Nelson, P.	Sertich	Westerberg
Carlson	Haas	Kohls	Newman	Severson	Westrom
Clark	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cornish	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Cox	Hausman	Lanning	Opatz	Slawik	Spk. Sviggum
Dauids	Heidgerken	Larson	Osterman	Smith	
Davnie	Hilstrom	Latz	Otremba	Soderstrom	

The bill was passed and its title agreed to.

The Speaker called Abrams to the Chair.

H. F. No. 2671, A bill for an act relating to motor carriers; modifying provisions governing motor carriers; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 221.011, subdivision 6; 221.0269, subdivision 3; 221.0314, subdivisions 7, 9; 221.033, subdivision 1; 221.036, subdivisions 1, 3, 12; 221.037, subdivision 2; 221.605, subdivision 1; 299K.07; Minnesota Statutes 2003 Supplement, sections 169.86, subdivision 5; 221.602, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 2002, sections 221.011, subdivision 2b; 221.033, subdivision 3; 221.034; Minnesota Rules, parts 8860.0100; 8860.0200; 8860.0300; 8860.0400; 8860.0500; 8860.0600; 8860.0700; 8860.0800.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hoppe	Lieder	Paulsen	Strachan
Abrams	Dempsey	Hornstein	Lindgren	Paymar	Swenson
Adolphson	Dill	Howes	Lindner	Pelowski	Sykora
Anderson, I.	Dorman	Huntley	Lipman	Penas	Thao
Anderson, J.	Dorn	Jacobson	Magnus	Peterson	Thissen
Atkins	Eastlund	Jaros	Mahoney	Powell	Tingelstad
Beard	Ellison	Johnson, J.	Mariani	Pugh	Urdahl
Bernardy	Entenza	Johnson, S.	Marquart	Rhodes	Wagenius
Biernat	Finstad	Juhnke	McNamara	Rukavina	Walker
Blaine	Fuller	Kahn	Meslow	Samuelson	Walz
Borrell	Gerlach	Kelliher	Mullery	Seagren	Wardlow
Boudreau	Goodwin	Klinzing	Murphy	Seifert	Wasiluk
Bradley	Greiling	Knoblach	Nelson, C.	Sertich	Westerberg
Brod	Gunther	Koenen	Nelson, P.	Severson	Westrom
Carlson	Haas	Kohls	Newman	Sieben	Wilkin
Clark	Hackbarth	Kuisle	Nornes	Simpson	Zellers
Cornish	Harder	Lanning	Olsen, S.	Slawik	Spk. Sviggum
Cox	Hausman	Larson	Opatz	Smith	
Davids	Hilstrom	Latz	Osterman	Soderstrom	
Davnie	Hilty	Lenczewski	Otto	Solberg	
DeLaForest	Holberg	Lesch	Ozment	Stang	

Those who voted in the negative were:

Anderson, B.	Erickson	Krinkie	Vandever
Buesgens	Heidgerken	Otremba	

The bill was passed and its title agreed to.

H. F. No. 995, A bill for an act relating to utilities; modifying notice and plan requirements before excavating around utility facilities; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 216D.01, by adding a subdivision; 216D.04, subdivisions 1, 1a, 2, 3, 4; 216D.05.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Hilty	Lenczewski	Otto	Solberg
Abrams	Demmer	Holberg	Lesch	Ozment	Stang
Adolphson	Dempsey	Hoppe	Lieder	Paulsen	Strachan
Anderson, B.	Dill	Hornstein	Lindgren	Paymar	Swenson
Anderson, I.	Dorman	Howes	Lindner	Pelowski	Sykora
Anderson, J.	Dorn	Huntley	Lipman	Penas	Thao
Atkins	Eastlund	Jacobson	Magnus	Peterson	Thissen
Beard	Ellison	Jaros	Mahoney	Powell	Tingelstad
Bernardy	Entenza	Johnson, J.	Mariani	Pugh	Urdahl
Biernat	Erickson	Johnson, S.	Marquart	Rhodes	Vandever
Blaine	Finstad	Juhnke	McNamara	Rukavina	Wagenius
Borrell	Fuller	Kahn	Meslow	Ruth	Walker
Boudreau	Gerlach	Kelliher	Mullery	Samuelson	Walz
Bradley	Goodwin	Klinzing	Murphy	Seagren	Wardlow
Brod	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Buesgens	Gunther	Koenen	Nelson, P.	Sertich	Westerberg
Carlson	Haas	Kohls	Newman	Severson	Westrom
Clark	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cornish	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Cox	Hausman	Lanning	Opatz	Slawik	Spk. Sviggum
Davids	Heidgerken	Larson	Osterman	Smith	
Davnie	Hilstrom	Latz	Otremba	Soderstrom	

The bill was passed and its title agreed to.

H. F. No. 2227 was reported to the House.

Gerlach moved to amend H. F. No. 2227, the first engrossment, as follows:

Page 3, line 18, before the comma, insert "or a private sewer or private septic system"

Page 3, line 19, delete "rate" and insert "or sewer rates"

The motion prevailed and the amendment was adopted.

There being no objection, H. F. No. 2227, as amended, was temporarily laid over on the Calendar for the Day.

H. F. No. 1941, A bill for an act relating to Anoka County; authorizing the county to establish a Personnel Board of Appeals.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilty	Lieder	Paulsen	Strachan
Abrams	Dempsey	Holberg	Lindgren	Paymar	Swenson
Adolphson	Dill	Hoppe	Lindner	Pelowski	Sykora
Anderson, B.	Dorman	Hornstein	Lipman	Penas	Thao
Anderson, I.	Dorn	Howes	Magnus	Peterson	Thissen
Anderson, J.	Eastlund	Huntley	Mahoney	Powell	Tingelstad
Atkins	Ellison	Jacobson	Mariani	Pugh	Urdahl
Beard	Entenza	Jaros	Marquart	Rhodes	Vandever
Bernardy	Erhardt	Johnson, J.	McNamara	Rukavina	Wagenius
Biernat	Erickson	Johnson, S.	Meslow	Ruth	Walker
Blaine	Finstad	Juhnke	Mullery	Samuelson	Walz
Borrell	Fuller	Kahn	Murphy	Seagren	Wardlow
Boudreau	Gerlach	Kelliher	Nelson, C.	Seifert	Wasiluk
Bradley	Goodwin	Knoblach	Nelson, P.	Sertich	Westerberg
Brod	Greiling	Koenen	Newman	Severson	Westrom
Carlson	Gunther	Kohls	Nornes	Sieben	Wilkin
Clark	Haas	Krinkie	Olsen, S.	Simpson	Zellers
Cornish	Hackbarth	Kuisle	Opatz	Slawik	Spk. Sviggum
Cox	Harder	Lanning	Osterman	Smith	
Davids	Hausman	Latz	Otremba	Soderstrom	
Davnie	Heidgerken	Lenczewski	Otto	Solberg	
DeLaForest	Hilstrom	Lesch	Ozment	Stang	

Those who voted in the negative were:

Buesgens Klinzing

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 2187 was reported to the House.

Paulsen moved that H. F. No. 2187 be temporarily laid over on the Calendar for the Day. The motion prevailed.

H. F. No. 1645, A bill for an act relating to museums and archives repositories; regulating loans to and abandoned property of museums and archives repositories; providing a process for establishing ownership of property loaned to museums and archives repositories; proposing coding for new law in Minnesota Statutes, chapter 345.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilty	Lesch	Ozment	Stang
Abrams	Dempsey	Holberg	Lieder	Paulsen	Strachan
Adolphson	Dill	Hoppe	Lindgren	Paymar	Swenson
Anderson, B.	Dorman	Hornstein	Lindner	Pelowski	Sykora
Anderson, I.	Dorn	Howes	Lipman	Penas	Thao
Anderson, J.	Eastlund	Huntley	Magnus	Peterson	Thissen
Atkins	Ellison	Jacobson	Mahoney	Powell	Tingelstad
Beard	Entenza	Jaros	Mariani	Pugh	Urdahl
Bernardy	Erhardt	Johnson, J.	Marquart	Rhodes	Vandever
Biernat	Erickson	Johnson, S.	McNamara	Rukavina	Wagenius
Blaine	Finstad	Juhnke	Meslow	Ruth	Walker
Borrell	Fuller	Kahn	Mullery	Samuelson	Walz
Boudreau	Gerlach	Kelliher	Murphy	Seagren	Wardlow
Bradley	Goodwin	Klinzing	Nelson, C.	Seifert	Wasiluk
Brod	Greiling	Knoblach	Nelson, P.	Sertich	Westerberg
Carlson	Gunther	Koenen	Newman	Severson	Westrom
Clark	Haas	Kohls	Nornes	Sieben	Wilkin
Cornish	Hackbarth	Kuisle	Olsen, S.	Simpson	Zellers
Cox	Harder	Lanning	Opatz	Slawik	Spk. Sviggum
Davids	Hausman	Larson	Osterman	Smith	
Davnie	Heidgerken	Latz	Otremba	Soderstrom	
DeLaForest	Hilstrom	Lenczewski	Otto	Solberg	

Those who voted in the negative were:

Buesgens Krinkie

The bill was passed and its title agreed to.

H. F. No. 1691, A bill for an act relating to highways; modifying provisions relating to local government road construction and improvement contracts; amending Minnesota Statutes 2002, section 160.17, subdivision 3; repealing Minnesota Statutes 2002, section 160.17, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bernardy	Carlson	Dempsey	Erickson	Hackbarth
Abrams	Biernat	Clark	Dill	Finstad	Harder
Adolphson	Blaine	Cornish	Dorman	Fuller	Hausman
Anderson, B.	Borrell	Cox	Dorn	Gerlach	Heidgerken
Anderson, I.	Boudreau	Davids	Eastlund	Goodwin	Hilstrom
Anderson, J.	Bradley	Davnie	Ellison	Greiling	Hilty
Atkins	Brod	DeLaForest	Entenza	Gunther	Holberg
Beard	Buesgens	Demmer	Erhardt	Haas	Hoppe

Hornstein	Krinkie	Marquart	Ozment	Sertich	Tingelstad
Howes	Kuisle	McNamara	Paulsen	Severson	Urdahl
Huntley	Lanning	Meslow	Paymar	Sieben	Vanderveer
Jacobson	Larson	Mullery	Pelowski	Simpson	Wagenius
Jaros	Latz	Murphy	Penas	Slawik	Walker
Johnson, J.	Lenczewski	Nelson, C.	Peterson	Smith	Walz
Johnson, S.	Lesch	Nelson, P.	Powell	Soderstrom	Wardlow
Juhnke	Lieder	Newman	Pugh	Solberg	Wasiluk
Kahn	Lindgren	Nornes	Rhodes	Stang	Westerberg
Kelliher	Lindner	Olsen, S.	Rukavina	Strachan	Westrom
Klinzing	Lipman	Opatz	Ruth	Swenson	Wilkin
Knoblach	Magnus	Osterman	Samuelson	Sykora	Zellers
Koenen	Mahoney	Otremba	Seagren	Thao	Spk. Sviggum
Kohls	Mariani	Otto	Seifert	Thissen	

The bill was passed and its title agreed to.

H. F. No. 2071, A bill for an act relating to employment; re-enacting certain employment agency provisions; amending Minnesota Statutes 2002, section 184.22, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Hilstrom	Lesch	Otto	Solberg
Abrams	Demmer	Hilty	Lieder	Ozment	Stang
Adolphson	Dempsey	Hoppe	Lindgren	Paulsen	Strachan
Anderson, B.	Dill	Hornstein	Lindner	Paymar	Swenson
Anderson, I.	Dorman	Howes	Lipman	Pelowski	Sykora
Anderson, J.	Dorn	Huntley	Magnus	Penas	Thao
Atkins	Eastlund	Jacobson	Mahoney	Peterson	Thissen
Beard	Ellison	Jaros	Mariani	Powell	Tingelstad
Bernardy	Entenza	Johnson, J.	Marquart	Pugh	Urdahl
Biernat	Erhardt	Johnson, S.	McNamara	Rhodes	Vanderveer
Blaine	Erickson	Juhnke	Meslow	Rukavina	Wagenius
Borrell	Finstad	Kahn	Mullery	Ruth	Walker
Boudreau	Fuller	Kelliher	Murphy	Samuelson	Walz
Bradley	Gerlach	Klinzing	Nelson, C.	Seagren	Wardlow
Brod	Goodwin	Knoblach	Nelson, P.	Seifert	Wasiluk
Buesgens	Greiling	Koenen	Newman	Sertich	Westerberg
Carlson	Gunther	Kohls	Nornes	Severson	Westrom
Clark	Haas	Kuisle	Olsen, S.	Sieben	Wilkin
Cornish	Hackbarth	Lanning	Olson, M.	Simpson	Zellers
Cox	Harder	Larson	Opatz	Slawik	Spk. Sviggum
Davids	Hausman	Latz	Osterman	Smith	
Davnie	Heidgerken	Lenczewski	Otremba	Soderstrom	

Those who voted in the negative were:

Holberg Krinkie

The bill was passed and its title agreed to.

H. F. No. 2187, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

H. F. No. 2187, A bill for an act relating to commerce; requiring debt collection agency employees to be registered instead of licensed; amending Minnesota Statutes 2002, sections 332.33; 332.335, subdivision 1; 332.35; 332.37; 332.395; 332.40; 332.41; 332.42; 332.43, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Holberg	Lesch	Ozment	Stang
Abrams	Dempsey	Hoppe	Lieder	Paulsen	Strachan
Adolphson	Dill	Hornstein	Lindgren	Paymar	Swenson
Anderson, B.	Dorman	Howes	Lindner	Pelowski	Sykora
Anderson, I.	Dorn	Huntley	Lipman	Penas	Thao
Anderson, J.	Eastlund	Jacobson	Magnus	Peterson	Thissen
Atkins	Ellison	Jaros	Mahoney	Powell	Tingelstad
Beard	Entenza	Johnson, J.	Mariani	Pugh	Urdahl
Biernat	Erhardt	Johnson, S.	Marquart	Rhodes	Vanderveer
Blaine	Erickson	Juhnke	McNamara	Rukavina	Wagenius
Borrell	Finstad	Kahn	Meslow	Ruth	Walker
Boudreau	Fuller	Kelliher	Mullery	Samuelson	Walz
Bradley	Gerlach	Klinzing	Murphy	Seagren	Wardlow
Brod	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Buesgens	Gunther	Koenen	Nelson, P.	Sertich	Westerberg
Carlson	Haas	Kohls	Newman	Severson	Westrom
Clark	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cornish	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Cox	Hausman	Lanning	Olson, M.	Slawik	Spk. Sviggum
Davids	Heidgerken	Larson	Opatz	Smith	
Davnie	Hilstrom	Latz	Osterman	Soderstrom	
DeLaForest	Hilty	Lenczewski	Otto	Solberg	

Those who voted in the negative were:

Bernardy	Goodwin	Otremba
----------	---------	---------

The bill was passed and its title agreed to.

S. F. No. 1958, A bill for an act relating to local government; authorizing townships to make payments by electronic or wire transfer, and accept payment by credit card or other methods; authorizing townships to use electronic approvals; amending Minnesota Statutes 2002, section 471.381.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Hilstrom	Latz	Osterman	Smith
Abrams	Demmer	Hilty	Lenczewski	Otremba	Soderstrom
Adolphson	Dempsey	Holberg	Lesch	Otto	Solberg
Anderson, B.	Dill	Hoppe	Lieder	Ozment	Stang
Anderson, I.	Dorman	Hornstein	Lindgren	Paulsen	Strachan
Anderson, J.	Dorn	Howes	Lindner	Paymar	Swenson
Atkins	Eastlund	Huntley	Lipman	Pelowski	Sykora
Beard	Ellison	Jacobson	Magnus	Penas	Thao
Bernardy	Entenza	Jaros	Mahoney	Peterson	Thissen
Biernat	Erhardt	Johnson, J.	Mariani	Powell	Tingelstad
Blaine	Erickson	Johnson, S.	Marquart	Pugh	Urdahl
Borrell	Finstad	Juhnke	McNamara	Rhodes	Vandever
Boudreau	Fuller	Kahn	Meslow	Rukavina	Wagenius
Bradley	Gerlach	Kelliher	Mullery	Ruth	Walker
Brod	Goodwin	Klinzing	Murphy	Samuelson	Walz
Buesgens	Greiling	Knoblach	Nelson, C.	Seagren	Wardlow
Carlson	Gunther	Koenen	Nelson, P.	Seifert	Wasiluk
Clark	Haas	Kohls	Newman	Sertich	Westerberg
Cornish	Hackbarth	Krinkie	Nornes	Severson	Westrom
Cox	Harder	Kuisle	Olsen, S.	Sieben	Wilkin
Davids	Hausman	Lanning	Olson, M.	Simpson	Zellers
Davnie	Heidgerken	Larson	Opatz	Slawik	Spk. Sviggum

The bill was passed and its title agreed to.

H. F. No. 2227, as amended, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

Solberg and Gerlach moved to amend H. F. No. 2227, the first engrossment, as amended, as follows:

Page 2, line 34, after "If" insert "a park owner chooses to bill separately for water or sewer usage," and after "owner" insert "must"

Page 2, line 35, delete "installs" and insert "install"

Page 2, line 36, delete the comma and insert "and"

The motion prevailed and the amendment was adopted.

H. F. No. 2227, A bill for an act relating to manufactured home parks; regulating water and sewage charges; amending Minnesota Statutes 2002, sections 327C.01, by adding a subdivision; 327C.02, subdivision 2; 327C.04, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pursuant to rule 2.05, the Speaker excused Newman from voting on final passage of H. F. No. 2227, as amended.

There were 92 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Holberg	Lipman	Paulsen	Stang
Abrams	Demmer	Hoppe	Magnus	Penas	Strachan
Adolphson	Dempsey	Huntley	Mahoney	Peterson	Sykora
Anderson, I.	Dill	Jacobson	Marquart	Powell	Thissen
Anderson, J.	Dorman	Johnson, J.	McNamara	Pugh	Tingelstad
Beard	Eastlund	Klinzing	Meslow	Rhodes	Wagenius
Biernat	Erhardt	Knoblach	Murphy	Ruth	Walz
Blaine	Erickson	Kohls	Nelson, C.	Samuelson	Wardlow
Borrell	Finstad	Krinkie	Nelson, P.	Seagren	Westrom
Boudreau	Fuller	Lanning	Nornes	Seifert	Wilkin
Bradley	Gerlach	Larson	Olsen, S.	Severson	Zellers
Brod	Gunther	Lenczewski	Olson, M.	Sieben	Spk. Sviggum
Buesgens	Haas	Lesch	Opatz	Simpson	
Cornish	Harder	Lieder	Osterman	Smith	
Cox	Hausman	Lindgren	Otto	Soderstrom	
Davids	Hilstrom	Lindner	Ozment	Solberg	

Those who voted in the negative were:

Anderson, B.	Ellison	Hornstein	Koenen	Pelowski	Vandever
Atkins	Entenza	Howes	Kuisle	Rukavina	Walker
Bernardy	Goodwin	Jaros	Latz	Sertich	Wasiluk
Carlson	Greiling	Johnson, S.	Mariani	Slawik	Westerberg
Clark	Hackbarth	Juhnke	Mullery	Swenson	
Davnie	Heidgerken	Kahn	Otremba	Thao	
Dorn	Hilty	Kelliher	Paymar	Urdahl	

The bill was passed, as amended, and its title agreed to.

H. F. No. 2235 was reported to the House.

Sertich moved to amend H. F. No. 2235, the first engrossment, as follows:

Page 63, line 29, strike "and" and insert:

"(2) that is adverse to the worker; and"

Page 63, line 30, strike "(2)" and insert "(3)"

Page 63, line 33, before "Paragraph" insert "The analysis required in" and delete "shall" and insert "must"

Page 63, line 34, delete everything after "case" and insert a period

Page 63, delete lines 35 and 36

Page 64, line 9, delete "(1)"

Page 64, lines 10 and 11, delete the new language

Page 64, lines 34 and 35, delete "the day following final enactment" and insert "August 1, 2004,"

Page 64, line 36, after "issued" insert "by the department"

Page 81, line 19, strike ", redetermination,"

Pages 88 and 89, delete section 86

Page 89, line 6, delete "87" and insert "86"

Page 89, delete lines 9 to 11 and insert:

"The revisor of statutes shall change the terms "evinces" and "demonstrates" to "displays clearly" wherever they appear in Minnesota Statutes, chapter 268."

The motion prevailed and the amendment was adopted.

H. F. No. 2235, A bill for an act relating to unemployment insurance; modifying definitions; making technical, housekeeping, and policy changes; modifying penalty provisions; amending Minnesota Statutes 2002, sections 176.011, subdivision 20; 268.035, subdivisions 3, 8a, 12a, 17, 20, 23a, 28, by adding a subdivision; 268.043; 268.044, subdivisions 2, 3, 4; 268.051, subdivisions 4, 7; 268.0511; 268.053, subdivision 2; 268.057, as amended; 268.058, as amended; 268.059, subdivision 3; 268.0625, as amended; 268.064, subdivisions 1, 3; 268.065, subdivisions 1, 2; 268.07, subdivisions 1, 3; 268.085, subdivisions 2, 12, 13a, 14; 268.095, subdivisions 4, 6a; 268.101, subdivisions 2, 4; 268.103; 268.105, as amended; 268.115, subdivision 5; 268.125, subdivision 5; 268.135, subdivisions 1, 2, 4; 268.145, subdivision 1; 268.18, subdivisions 2b, 6; 268.182; 268.184; Minnesota Statutes 2003 Supplement, sections 268.035, subdivision 15; 268.042, subdivisions 1, 3; 268.044, subdivisions 1, 1a; 268.045; 268.047, subdivision 5; 268.051, subdivisions 1, 1a, 3, 5, 6; 268.052, subdivisions 1, 2; 268.053, subdivisions 1, 3; 268.059, subdivision 1; 268.063; 268.066; 268.067; 268.0675; 268.07, subdivision 2; 268.085, subdivisions 1, 3, 4, 5, 6; 268.095, subdivisions 1, 3; 268.101, subdivisions 3, 3a; 268.18, subdivisions 1, 2; 268.186; 268.19, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Anderson, B.	Atkins	Biernat	Boudreau	Buesgens
Abrams	Anderson, I.	Beard	Blaine	Bradley	Carlson
Adolphson	Anderson, J.	Bernardy	Borrell	Brod	Clark

Cornish	Greiling	Kahn	Mariani	Pelowski	Stang
Cox	Gunther	Kelliher	Marquart	Penas	Strachan
Davids	Haas	Klinzing	McNamara	Peterson	Swenson
Davnie	Hackbarth	Knoblach	Meslow	Powell	Sykora
DeLaForest	Harder	Koenen	Mullery	Pugh	Thao
Demmer	Hausman	Kohls	Murphy	Rhodes	Thissen
Dempsey	Heidgerken	Krinkie	Nelson, C.	Rukavina	Tingelstad
Dill	Hilstrom	Kuisle	Nelson, P.	Ruth	Urdahl
Dorman	Hilty	Lanning	Newman	Samuelson	Wagenius
Dorn	Holberg	Larson	Nornes	Seagren	Walker
Eastlund	Hoppe	Latz	Olsen, S.	Seifert	Walz
Ellison	Hornstein	Lenczewski	Olson, M.	Sertich	Wardlow
Entenza	Howes	Lesch	Opatz	Severson	Wasiluk
Erhardt	Huntley	Lieder	Osterman	Sieben	Westerberg
Erickson	Jacobson	Lindgren	Otremba	Simpson	Westrom
Finstad	Jaros	Lindner	Otto	Slawik	Wilkin
Fuller	Johnson, J.	Lipman	Ozment	Smith	Zellers
Gerlach	Johnson, S.	Magnus	Paulsen	Soderstrom	Spk. Sviggum
Goodwin	Juhnke	Mahoney	Paymar	Solberg	

Those who voted in the negative were:

Vandev eer

The bill was passed, as amended, and its title agreed to.

Paulsen moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Nelson, C., moved that the name of Knoblach be added as an author on H. F. No. 1728. The motion prevailed.

Abrams moved that the name of Powell be added as an author on H. F. No. 2643. The motion prevailed.

Abrams moved that the name of Powell be added as an author on H. F. No. 2929. The motion prevailed.

Seagren moved that the name of Klinzing be added as an author on H. F. No. 3016. The motion prevailed.

Buesgens moved that the name of Klinzing be added as an author on H. F. No. 3038. The motion prevailed.

Abrams moved that the name of Klinzing be added as an author on H. F. No. 3050. The motion prevailed.

Abrams moved that the name of Klinzing be added as an author on H. F. No. 3058. The motion prevailed.

Howes moved that H. F. No. 2334, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Newman moved that S. F. No. 1653 be recalled from the Committee on Civil Law and together with H. F. No. 2107, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, March 30, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, March 30, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives